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HOUSE BILL 1949

By Bunch

AN ACT to amend Chapter 78 of the Private Acts of 1993; as amended by Chapter 165 of the Private Acts of 1994; Chapter 199 of the Private Acts of 1994; Chapter 86 of the Private Acts of 1997; Chapter 12 of the Private Acts of 1997; Chapter 85 of the Private Acts of 1997; Chapter 52 of the Private Acts of 1999 and Chapter 12 of the Private Acts of 1999; and any other acts amendatory thereto, relative to the charter of the City of Cleveland.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article II, Section 1 of Chapter 78 of the Private Acts of 1993, as amended, is amended by adding the following language as a new subsection (33) and by redesignating the existing subsections accordingly:

(33) To make regulations to secure the general health, safety and welfare of the inhabitants, and to require the owners of property to keep, maintain and repair their property in a manner both safe and conducive to the good health, safety and welfare of the citizens of the city. For that purpose the city shall have the right to adopt ordinances requiring property owners at their expense to repair, close or demolish unsafe and unhealthy structures on their property, and requiring property owners at their expense to remove from their property unsafe and unhealthy man-made and natural material,

including junk motorized and non-motorized vehicles and carriages of every kind and description, debris, trash, litter and garbage, and growth of vegetation, including weeds, trees, vines, grass and underbrush, and upon the failure or refusal of any property owner to comply with such ordinances, to repair, close or demolish such structures, or to remove from the property such man-made and natural material at the city's expense.

The city shall file with the register of deeds in the county where the property lies notice of the city's expense, which notice shall be a lien on the property in favor of the city, second only to liens of the state, county and city for property taxes, any lien of the city for special assessments, and any valid lien, right or interest in such property duly recorded or perfected, prior to the filing of such notice, and the expenses shall be collected by the city's tax collector at the same time and in the same manner as property taxes are collected.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Cleveland within sixty (60) days of its signing by the governor. Its approval or nonapproval shall be proclaimed by the presiding officer of and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.